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October 23, 2014

BY ECF and Facsimile

Honorable Andrew J. Peck

United States Magistrate Judge

Daniel Patrick Moynihan

United States Courthouse

500 Pearl Street, Room 20D

New York, New York 10007-1312

Re: *Senisi v. John Wiley & Sons, Inc.*, No. 13-cv-3314 (LTS)(AJP)

Dear Judge Peck:

We represent defendant John Wiley & Sons, Inc. ("Wiley") in the above-captioned case. We write in response to the letter submitted to Plaintiff's counsel earlier today regarding Ms. Senisi's request to compel the production of documents that Plaintiff alleges that Wiley has improperly withheld.

The matter raised in Plaintiff's letter is but one of many outstanding discovery issues between the parties. In the past few weeks, the parties exchanged emails setting forth each other's purported production deficiencies. We are in the process of preparing an omnibus letter to Plaintiff's counsel, setting forth Wiley's responses to Plaintiff's claims of deficiencies (one of which being the issue raised in the letter submitted by Plaintiff today), and reiterating Wiley's concerns with omissions in Plaintiff's document production to date.

Accordingly, we believe that Plaintiff's letter to the Court is premature and, at the very least, should be addressed by the Court together with any other discovery issues that the parties cannot resolve. We will send Plaintiff's counsel our omnibus discovery letter no later than Monday, October 27, and expect a response soon thereafter. At that point, the parties can engage in a meet & confer before troubling the Court with the remaining disputes. We suggest that the Court order that the parties agree to a schedule for submission of letters regarding any unresolved discovery issues and responses thereto, such that all issues are fully submitted to the Court no later than November 7, 2014. That will allow the Court to consider all remaining issues in an orderly fashion at the next status conference scheduled for Wednesday, November 19 at 9:30 am.

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If this is not acceptable to the Court, Wiley respectfully requests that it have until next Wednesday, October 29, to respond to today's letter from Plaintiff's counsel.

Thank your for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Toby Butterfield', with a long horizontal flourish extending to the right.

Toby Butterfield

cc: Kevin McCulloch, Esq. (via email - kmcculloch@nelsonmcculloch.com)
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